

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Justin J Martinez

Case Number: 0980 1:14CR02078-TOR-1

Address of Offender: [REDACTED] Toppenish, Washington 98948

Name of Judicial Officer: The Honorable Thomas O. Rice, U.S. Chief District Court Judge

Date of Original Sentence: March 2, 2015

Original Offense: Crime on Indian Reservation - Assault by Striking, Beating or Wounding, 18 U.S.C. § 113(a)(4) & 1153

Original Sentence: Prison 6 months; TSR - 12 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: TBD

Date Supervision Commenced: March 4, 2016

Defense Attorney: Federal Defenders Office

Date Supervision Expires: November 3, 2016

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.**Supporting Evidence:** Mr. Martinez was arrested for driving under the influence and reckless driving on March 7, 2016.

According to the Yakama Nation Police Department narrative report, on March 7, 2016, at 2352 hours, the police officer observed a vehicle traveling at a high rate of speed than the posted speed limit. The patrol vehicle's radar measured the speed of the vehicle at 93 miles per hour. The officer activated his vehicle's emergency lights and initiated the traffic stop.

The driver was identified as Justin Martinez, date of birth August 22, 1990. The defendant was questioned as to if he knew why he was pulled over. The defendant responded for speeding. The officer reported in his report that Mr. Martinez had slurred speech, bloodshot eyes, and a strong odor of intoxicants coming from his person and vehicle. Mr. Martinez was questioned if he had been drinking. He responded that he had about 5 beers and had stopped drinking about an hour ago. Mr. Martinez was asked if he would do a voluntary Sobriety and Breathalyzer test but he refused.

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The officer conducted an inventory of the vehicle. Inside the vehicle, several empty beer cans were located along with others that were still sealed.

- 2 **Special Condition # 16:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Martinez was found to be under the influence of alcohol on March 7, 2016.

On March 7, 2016, Mr. Martinez was booked into the Yakama Nation Tribal Jail for driving under the influence of alcohol. Mr. Martinez displayed multiple signs of being intoxicated by having slurred speech, bloodshot eyes, and a strong odor of intoxicants. Mr. Martinez also admitted to consuming five beers.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: March 11, 2016

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

March 11, 2016

Date